

CHIEF JUDGE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

VOLODIMYR PIGIDA,

Defendant.

NO. CR18-294RSM

ORDER TO CONTINUE TRIAL

This matter comes before the Court on the parties' motion to continue the trial date and the facts set forth therein. Having thoroughly considered the motion and the relevant record, the Court adopts the facts set forth in the parties' Stipulated Motion to Continue Trial, and further finds as follows:

1. Over the past year, the COVID-19 pandemic has significantly impacted the Court's operations. (*See* General Orders 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20, 16-20, 17-20, 18-20, and 04-21, each of which the Court incorporates by reference).
2. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social

1 distancing measures required to stop the spread of this disease, as well as the lack
2 of the type of personal protective equipment necessary to ensure the health and
3 safety of all participants, limiting the size and frequency of gatherings, including
4 trials, remains critical to preventing serious injury and death from COVID-19.
5 Additionally, public health guidance has impacted the number of jurors, witnesses,
6 counsel, and Court staff that can be present in the courtroom.
7

- 8 3. In light of these restrictions, the Court finds that “failure to grant a continuance in
9 th[is] proceeding would be likely to make continuation of such proceeding
10 impossible, or result in a miscarriage of justice.” 18 U.S.C. § 3161(h)(7)(B)(i).
11 The parties represent that the presentation of this trial will require the presence of
12 multiple witnesses, some of whom are located out of state. Given the current
13 pandemic, out-of-state travel is not recommended, and precautions must be
14 implemented. Additionally, translators will be required to ensure the Defendant
15 and foreign language speaking witnesses are able to understand and participate in
16 the proceedings. The need for these translators will increase the number of
17 individuals required to be in the courtroom during trial. And due to the
18 complexity of this case, the presentation of evidence will be lengthy, lasting three
19 to four weeks in duration. In order to ensure that this trial can be safely
20 conducted, a continuance is required.
21
- 22 4. Additionally, government counsel has numerous other trials pending in this
23 District, which will impact their ability to adequately prepare for trial in this
24 matter. Furthermore, defense counsel is unavailable in late-December and early-
25 January. Accordingly, failure to grant the requested continuance “would
26 unreasonably deny the defendant or the Government continuity of counsel.” 18
27 U.S.C. § 3161(h)(7)(B)(iv).
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1 5. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by continuing
2 the trial in this case outweighs the best interest of the public and the defendant to a
3 speedy trial.

4 IT IS ORDERED that trial in this matter shall be continued to January 10, 2022.

5 IT IS FURTHER ORDERED that the period time from the date of this order, up to
6 and including trial date of January 10, 2022, shall be excludable time pursuant to 18 U.S.C.
7 § 3161.
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9 Dated this 25th day of March 2021.

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11 RICARDO S. MARTINEZ
12 CHIEF UNITED STATES DISTRICT JUDGE
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14 Presented by:

15
16 /s/ Jesse Cantor
17 JESSE CANTOR

18 /s/ Justin Arnold
19 JUSTIN ARNOLD
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